

AMENDED IN ASSEMBLY JUNE 1, 2005

AMENDED IN ASSEMBLY APRIL 21, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1728

Introduced by Assembly Member Houston

February 22, 2005

~~An act to amend Section 9853 of the Vehicle Code, relating to vessels, and making an appropriation therefor. An act to amend Sections 9853, 9860, and 9863 of the Vehicle Code, relating to vessels.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1728, as amended, Houston. Vessels: *registration fees:: boating safety.*

Existing law requires the owner of an undocumented vessel, as specified, to apply to the Department of Motor Vehicles for the issuance of a certificate of number for the vessel and to apply to the department for renewal of the certificate before the certificate's expiration date. Existing law imposes certain fees for the issuance of a certificate of number and for a renewal of that certificate.

This bill would impose an additional fee of \$2 for issuance of a certificate of number or renewal of the certificate.

The bill would require the money collected from the additional fees to be deposited by the department in the Boating Safety and Law Enforcement Services Account, which the bill would establish in the Harbors and Watercraft Revolving Fund, and would make those funds available, upon appropriation, for allocation by the department to county sheriff's departments only for the purpose of funding boating safety and law enforcement services on the waterways of the state.

~~Existing law, in addition to other fees, imposes a \$5 fee upon the original registration of a vessel whose fee becomes due between January 1 and December 31 of an even-numbered year, and impose a \$10 fee upon the original registration of a vessel that become due, or is filed with the Department of Motor Vehicles, between December 1 and December 31 of an odd-numbered year.~~

~~This bill would increase the above fees to \$6 and \$12, respectively, and would require the department to increase the fees by 5% on January 1, 2010, and on January 1 of every 4th year thereafter. Because these fees are deposited in the Harbors and Watercraft Revolving Fund, a continuously appropriated fund, this bill would make an appropriation.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes-no~~. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9853 of the Vehicle Code is amended to
2 read:

3 9853. (a) The owner of each vessel requiring numbering by
4 this state shall file an initial application for a number with the
5 department or with an agent authorized by the department on
6 forms approved by the department. Such forms shall be prepared
7 in cooperation with the Department of Boating and Waterways.
8 The application shall contain the true name and address of the
9 owner and of the legal owner, if any, and the hull identification
10 number of the vessel as may be required by the department. The
11 application shall be signed by the owner of the vessel and shall
12 be accompanied by a fee of nine dollars (\$9), in addition to the
13 fees required under subdivision (b), except that an owner of a
14 vessel registered outside this state who is submitting an
15 application for registration in this state shall pay a fee of
16 thirty-seven dollars (\$37), in addition to the fees required under
17 subdivision (b).

18 (b) (1) Whenever the fee for original registration of a vessel
19 becomes due between January 1 and December 31 of any
20 even-numbered year, the application shall be accompanied by a
21 fee of five dollars (\$5), in addition to any other fees that are then
22 due and payable.

(2) Whenever the fee for original registration of a vessel becomes due, or is filed with the department, between December 1 and December 31 of any odd-numbered year, the application shall be accompanied by a fee of ten dollars (\$10) in addition to any other fees that are then due and payable.

(c) In addition to the fees required under subdivisions (a) and (b), the application shall be accompanied by a fee of two dollars (\$2). The money collected from the fees imposed under this subdivision shall be deposited by the department in the Boating Safety and Law Enforcement Services Account in the Harbors and Watercraft Revolving Fund.

SEC. 2. Section 9860 of the Vehicle Code is amended to read:

9860. (a) Certificates of number shall be renewed before midnight of the expiration date by presentation of the certificate of number last issued for the vessel or by presentation of a potential registration card issued by the department. The fee for renewal shall be ten dollars (\$10) for each two-year period and shall accompany the request for renewal. If the certificate of number and potential registration card are unavailable, a fee as specified in Section 9867 shall not be paid.

~~(b) This section applies to the renewal of all certificates of number that expire on or after, or are renewed on or after, December 31, 1997~~ *In addition to the fees required under subdivision (a), the request for renewal shall be accompanied by a fee of two dollars (\$2). The money collected from the fees imposed under this subdivision shall be deposited by the department in the Boating Safety and Law Enforcement Services Account in the Harbors and Watercraft Revolving Fund.*

~~(c) This section shall become operative on September 1, 1997.~~

SEC. 3. Section 9863 of the Vehicle Code is amended to read:

9863. (a) All fees received under this chapter, except moneys collected under subdivision (c) of Section 9853, subdivision (b) of Section 9860, or Section 9875, ~~pursuant to this chapter~~ shall be deposited in the Harbors and Watercraft Revolving Fund and, notwithstanding Section 13340 of the Government Code, are continuously appropriated, without regard to fiscal years, for the administration of this chapter by the department. Any funds in the Harbors and Watercraft Revolving Fund derived pursuant to this chapter in excess of the amount determined by the Director of Finance, from time to time, to be

1 necessary for expenditure for the administration of this chapter,
2 notwithstanding Section 13340 of the Government Code, are
3 continuously appropriated to the Department of Boating and
4 Waterways, without regard to fiscal years, for expenditure in
5 accordance with Section 663.7 of the Harbors and Navigation
6 Code.

7 *(b) The Boating Safety and Law Enforcement Services Account*
8 *is hereby established in the Harbors and Watercraft Revolving*
9 *Fund. Upon appropriation, the funds in the account shall be*
10 *available for allocation by the department to county sheriff's*
11 *departments only for the purposes of funding boating safety and*
12 *law enforcement services on the waterways of the state.*

13 ~~SECTION 1. Section 9853 of the Vehicle Code is amended to~~
14 ~~read:~~

15 ~~9853. (a) The owner of each vessel requiring numbering by~~
16 ~~this state shall file an initial application for a number with the~~
17 ~~department or with an agent authorized by the department on~~
18 ~~forms approved by the department. These forms shall be~~
19 ~~prepared in cooperation with the Department of Boating and~~
20 ~~Waterways. The application shall contain the true name and~~
21 ~~address of the owner and of the legal owner, if any, and the hull~~
22 ~~identification number of the vessel as may be required by the~~
23 ~~department. The application shall be signed by the owner of the~~
24 ~~vessel and shall be accompanied by a fee of nine dollars (\$9), in~~
25 ~~addition to the fees required under subdivision (b), except that an~~
26 ~~owner of a vessel registered outside this state who is submitting~~
27 ~~an application for registration in this state shall pay a fee of~~
28 ~~thirty-seven dollars (\$37), in addition to the fees required under~~
29 ~~subdivision (b).~~

30 ~~(b) (1) Whenever the fee for original registration of a vessel~~
31 ~~becomes due between January 1 and December 31 of any~~
32 ~~even-numbered year, the application shall be accompanied by a~~
33 ~~fee of six dollars (\$6), in addition to any other fees that are then~~
34 ~~due and payable.~~

35 ~~(2) Whenever the fee for original registration of a vessel~~
36 ~~becomes due, or is filed with the department, between December~~
37 ~~1 and December 31 of any odd-numbered year, the application~~
38 ~~shall be accompanied by a fee of twelve dollars (\$12) in addition~~
39 ~~to any other fees that are then due and payable.~~

1 ~~(3) The department shall increase by 5 percent the amount of~~
2 ~~the fees collected under paragraphs (1) and (2) on January 1,~~
3 ~~2010, and on January 1 of every fourth year thereafter.~~

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